

SECOND REGULAR SESSION

SENATE BILL NO. 1253

94TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR SHOEMYER.

Read 1st time February 28, 2008, and ordered printed.

TERRY L. SPIELER, Secretary.

5312S.011

AN ACT

To amend chapter 52, RSMo, by adding thereto four new sections relating to property taxpayer information, with penalty provisions.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Chapter 52, RSMo, is amended by adding thereto four new
2 sections, to be known as sections 52.525, 52.530, 52.535, and 52.540, to read as
3 follows:

**52.525. Sections 52.525 to 52.540 shall be known as the "County
2 Taxpayer Protection Act".**

**52.530. The county collector or collector-treasurer shall be the
2 custodian of all individual county tax records generated for the
3 purpose of collecting real and personal property taxes. All requests for
4 individual county tax records shall be made in writing to the collector
5 or collector-treasurer. Such request shall clearly indicate the
6 requesting party's vested interest in the records, as provided in section
7 52.535, and contain a signed statement affirming the tax records
8 provided shall not be used or sold as a mailing list, and that any
9 unauthorized use or disclosure of the information, other than published
10 reports made available to the general public by the news media, is a
11 violation of sections 52.525 to 52.540.**

**52.535. Persons, organizations, or entities with a vested interest
2 in an individual county tax record shall include, but not be limited to,
3 the following:**

**4 (1) Any financial institution responsible for paying real property
5 taxes on behalf of an individual taxpayer;**

**6 (2) Any title or abstract company working on individual
7 taxpayer's real property;**

8 (3) Any valid court order;

9 (4) Any attorney who, with written consent of a client, is
10 retained by such client to draw up deeds, contracts, and any documents
11 relating to real property of the client;

12 (5) Any realtor, with written consent from the taxpayer,
13 requesting individual tax record information for the purpose of selling
14 the real property of the consenting taxpayer;

15 (6) Any appraiser having the consent of the taxpayer whose real
16 property is being appraised;

17 (7) Any individual county taxpayer requesting information
18 contained in individual tax records in the county to determine if the
19 real property of the requesting taxpayer is correctly assessed with
20 either adjoining or other like comparable real property in the area;

21 (8) Any member of the news media requesting such records
22 pursuant to chapter 610, RSMo, in the normal course of business.

 52.540. Any individual tax record information provided by the
2 collector or collector-treasurer shall not be transferred or given to any
3 other person, organization, or entity and shall not be used for
4 commercial purposes, other than published reports made available to
5 the general public by the news media. For purposes of this section,
6 "commercial purposes" means the use of an individual tax record for
7 profit including, but not limited to, resale or for the purpose of
8 producing a document or electronic database for resale to another
9 person, organization, or entity for the purpose of solicitation or for any
10 purpose in which the purchaser can reasonably anticipate the receipt
11 of monetary gain from the direct or indirect use of the individual tax
12 record. Any person, organization, or entity which uses individual tax
13 records for a commercial purpose as defined in this section shall be
14 subject to a penalty in the amount of two thousand dollars for each
15 individual county tax record transferred, given, or used. Any moneys
16 collected pursuant to this section shall be deposited in the county
17 general revenue fund.

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